

EXHIBIT 1

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DOCKET NO. 4:19-cv-11093-TSH

PAUL JONES,

Plaintiff

v.

MONTACHUSETT REGIONAL TRANSIT
AUTHORITY, Et Al.,

Defendants

DEFENDANT'S RESPONSE TO
PLAINTIFF'S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS

In accordance with the Court's April 28, 2021 and May 5, 2021 Orders (collectively, "Court's Orders"), and pursuant to Fed. R. Civ. P. 26 and 36, Defendant Montachusett Regional Transit Authority ("Defendant" or "MART") hereby responds to Plaintiff Paul Jones; ("Plaintiff") First Set of Requests for Production of Documents as follows:

INSTRUCTIONS AND DEFINITIONS

Objection. Defendant objects to the instructions and definitions contained in Plaintiff's First Set of Requests for Production of Documents to the extent that they go beyond what is required by the applicable federal rules of civil procedure and the Court's Orders.

REQUEST NO. 1

Produce Complete MART BROKERAGE TRANSPORTATION PROVIDER (SIGNED)

CONTRACTS and amendments for each Transportation Vendor that participated in Defendants Brokerage Department from 2016-2020, that worked in Pioneer Valley area, even if the vendors office is in another area such as METRO BOSTON, SOUTH CENTRAL, NORTH CENTRAL, in chronological order by date.

RESPONSE NO. 1

Objection. Defendant objects to this request on the grounds that it is overbroad and seeks documents beyond those allowed pursuant to the Court's Orders. Without waiving this objection, Defendant responds to this request as follows:

Exhibit 1 – Agreement between MART and CCRD for period July 1, 2015 through June 30, 2020.

Exhibit 2 – Amendment to MART Brokerage Transportation Provider Contract Effective July 1, 2016;

Exhibit 3 – Amendment to MART Brokerage Transportation Provider Contract Effective July 1, 2017

Exhibit 4 – Amendment to MART Brokerage Transportation Provider Contract Effective July 1, 2018

Exhibit 5 – Updated FY 20 Attachment J – MassHealth Federally Required Disclosures

Exhibit 6 – Amendment to MART Brokerage Transportation Provider Contract Effective July 1, 2020.

Exhibit 7 – Email exchange September 9, 2020 re: Rates (no work hold due to workers comp. expiring.

REQUEST NO. 2

Produce Biweekly Invoices (CSV File) in cryonic logical order by date for all Transportation Subcontractor Providers that participated in Defendants Mart's brokerage department programs (DAR, TAXI, & DSS programs) that provided transportation In the Pioneer Valley area from 2016-2020, in the same format downloaded via Vendor Portal ,which includes TABS at top for

DATE DOWNLOADED, CONTRACTOR NAME, DAY, DATE, PICK UP CTY, DROP OFF CITY, DESTINATION NUMBER, DESTINATION STREET & CITY, VEHICLE TYPE, PU FEE/1st MILE RATE, LOADED MILES, TOTAL MILEAGE FEE, TOTAL FEE, SHARED RIDE, SHARED GROUP, PICK UP FEE, MILLAGE FEE, TOTAL FEE, VEHICLE TYPE, TAXI SUBTOTAL, DDS SUB TOTAL, SPRINGFIELD INVOICE AMOUNT, FINE TOTAL, GRAND TOTAL in chronological order by date, See Example Exhibit 2.

RESPONSE NO. 2

Objection. Defendant objects to this request on the grounds that it is overbroad, unduly burdensome and on the grounds that the documents requested go beyond those allowed by the Court's Orders.

REQUEST NO. 3

Produce Copies of MARTS Transportation Vendor rate sheet monthly and quarterly that transported MassHealth Clients under MARTS Brokerage Transportation program in the Pioneer Valley area only, from 2016-2020, even if the vendors office is in another area such as METRO BOSTON, SOUTH CENTRAL, NORTH CENTRAL that participated in Defendants DAR, TAXI, & DSS programs. Please include *Vendors Name, SERVICE AREA, SOURCE_CITY, DESTINATION CITY, VEHICLE TYPE, PICK UP FEE, MILEAGE RATE, MILEAGE INCLUDED IN PICK UP, SHARED RIDE FEE, PICK UP FEE, SECOND ATTENDANT FEE* as is via Defendant's mart Vendor Portal CSV FILE See example Exhibit 3. in chronological order by date.

RESPONSE NO. 3

Objection. Defendant objects to this request on the grounds that it is overbroad, unduly burdensome and on the grounds that the documents requested go beyond those allowed by the

Court's Orders. Without waiving these or any other objections, Defendant responds to this request as follows:

Exhibit 8 – CCRD Rates effective: 6/1/2016; 7/1/2016; 11/1/2016; 12/1/2016; 3/1/2017; 6/2017; 10/1/2017; 12/11/2017; 3/15/2018; 6/14/2018 6/17/2019; 4/1/2019; 10/1/2019;

Exhibit 9 – Email exchange December 2, 2019 re: Rate changes DMA work and CCRD Rates effective 1/1.2020.

Exhibit 10 – Email exchanges re: rate adjustments, capacity, hours of operation, and portal training.

REQUEST NO. 4

Produce Outgoing calls (Phone Records) made from IVR (Computerized Voice Mails) system that makes all Defendants call on behalf of Defendant MART to Subcontractor Vendors to offer trips, Transportation Vendors that worked in Pioneer Valley area from 2016-2020, even if the vendors office is in another area such as METRO BOSTON, SOUTH CENTRAL, NORTH CENTRAL, including Plaintiff telephone number 617-939-5417. Please include vendor name, times, dates, telephone numbers, in chronological order by date.

RESPONSE NO. 4

Objection. Defendant objects to this request on the grounds that it is overbroad, unduly burdensome and on the grounds that the documents requested go beyond those allowed by the Court's Orders.

REQUEST NO. 5

Produce Policy and amendments of all MARTS Brokerage Transportation program including DDS, DAR, TAXI SERVICE programs, *Vendor Portal Training* , Audits etc. from 2016-2020, in chronological order by date.

RESPONSE NO. 5

Objection. Defendant objects to this request on the grounds that it is overbroad, unduly burdensome and on the grounds that the documents requested go beyond those allowed by the Court's Orders.

REQUEST NO. 6

Produce Complaints (Passenger Service Reports) filed by clients against All Transportation Providers that worked in the Pioneer Valley area from 2016-2020, includes Date & Time of incident, Report #, Passengers first name only redact last name, Complaint Memo, RTA action Memo, Investigators Response Memo, Fine amount, , if appeal (Submitted appeal form from vendor) and outcome of complaint even if the vendors office is in another area such as METRO BOSTON, SOUTH CENTRAL, NORTH CENTRAL, please redact any identifying information regarding MassHealth Clients information for HIPPA requirements, in chronological order by date. Example *Exhibit 4*.

RESPONSE NO. 6

Objection. Defendant objects to this request on the grounds that it is overbroad, unduly burdensome and on the grounds that the documents requested go beyond those allowed by the Court's Orders.

REQUEST NO. 7

Produce Documents and E-mails relating to any communication between all defendants / MARTS Brokerage Department employees and Commonwealth Community Recovery Division Inc (CCRD INC) and plaintiff and each other regarding CCRD INC hours of operations, Plaintiff Paul Jones Title VII & EEOC Complaints and correspondence, Memos, Conversations, Comments by Defendants Employees, Vendor Portal Training, Termination,

Daily Logs request, Vehicle Maintenance Reports, Vehicles, Incident Reports, Audit Reports, Hiring and Firing reports, Plaintiff's vendor portal training ,Sharna Small-Borsellino, Joseph. I. Harrington and Mandy Mulcahy including Apr 5, 2017, meeting regarding Plaintiff and defendants (Karen Cordio).

RESPONSE NO. 7

Objection. Defendant objects to this request on the grounds that it is overbroad, unduly burdensome and on the grounds that the documents requested go beyond those allowed by the Court's Orders. Without waiving these or any other objections, Defendant responds to this request as follows:

Defendant refers Plaintiff to documents produced as Exhibits 8, 9 and 10 above.

REQUEST NO. 8

Produce List of all Subcontractors Transportation vendors certificate of insurance (COI) that participated in Defendants Montachusett Regional Transit Authority DMH, DAR, TAXI, & DSS programs Pioneer Valley area from 2016-2020 even if the Transportation vendors office is in another area such as METRO BOSTON, SOUTH CENTRAL, NORTH CENTRAL in cryonic logical order.

RESPONSE NO. 8

Objection. Defendant objects to this request on the grounds that it is overbroad, unduly burdensome and on the grounds that the documents requested go beyond those allowed by the Court's Orders.

REQUEST NO. 9

Produce documents that was sent to your attorney for any defense or offense that will be used in this case, based on the information then reasonably available to it.

RESPONSE NO. 9

Objection. Defendant objects to this request on the grounds that it seeks information protected by the attorney client privilege and/or work product doctrine.

REQUEST NO. 10

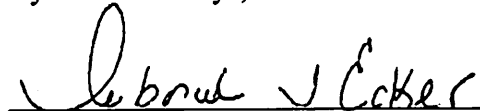
All disciplinary records of Rebecca Badgley, Donna Landry, Bonnie Mahoney, Karen Cordio, Joanne Norris, Stephanie Richards, Tamara Shumovskaya, Jessica Torres, Amanda Kukta, Robert Monk, Michelle Moyo, Ivan Roman, and Crystal Geisert (collectively “Defendants”) from 2016-2020.

RESPONSE NO. 10

Objection. Defendant objects to this request on the grounds that it is overbroad, unduly burdensome and on the grounds that the documents requested go beyond those allowed by the Court’s Orders.

DEFENDANTS
MONTACHUSETT REGIONAL TRANSIT
AUTHORITY et al,

By their attorneys,

A handwritten signature in black ink, appearing to read "Deborah I. Ecker", written over a horizontal line.

Mark R. Reich (BBO# 553212)
Deborah I. Ecker (BBO# 554623)
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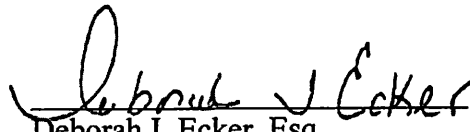
Dated: May 20, 2021

CERTIFICATE OF SERVICE

I, Deborah I. Ecker, hereby certify that on the below date, I served a copy of the foregoing *Defendant's Response to Plaintiff's First Request for Production of Documents*, by electronic mail and first class mail, postage prepaid, to the following:

Mr. Paul Jones
572 Park Street
Stoughton, MA 02072

Date: May 20, 2021


Deborah I. Ecker, Esq.